

**United States Court of Appeals
For the First Circuit**

No. 10-1709

VICKY RODRÍGUEZ-TORRES, ET AL.,

Plaintiffs, Appellants,

v.

GOVERNMENT DEVELOPMENT BANK OF PR, ET AL.,

Defendants, Appellees,

ABC INSURANCE CO., ET AL.,

Defendants.

No. 10-1713

CONJUGAL PARTNERSHIP MALDONADO-RODRÍGUEZ, ET AL.,

Plaintiffs,

MIGUEL A. CUARDROS-PESQUERA, ET AL.,

Appellants,

v.

GOVERNMENT DEVELOPMENT BANK OF PR., ET AL.

Defendants, Appellees.

ABC INSURANCE CO., ET AL.,

Defendants.

ORDER OF COURT

Entered: July 19, 2010

Defendants' motion to dismiss these appeals as premature is denied. Defendants correctly note that, following the issuance of the attorneys' fees order at issue, and prior to the filing of these notices of appeal, plaintiff filed a timely motion to vacate the fees order pursuant to Fed. R. Civ. P. 59(e), which is pending in district court. Defendants also correctly note that, pursuant to Fed. R. App. P. 4(a)(4)(B)(i), these notices of appeal are, therefore, not yet effective. Appellate Rule 4(a)(4)(B)(i), however, provides for the appeals to be held in abeyance, not dismissed, pending the district court's disposition of the Rule 59(e) motion. These appeals are accordingly being held in abeyance pursuant to Appellate Rule 4.

We also note that the district court has apparently not been notified of the Chapter 7 bankruptcy filed by plaintiff Vicky Rodríguez-Torres. Plaintiffs have been directed, in an order issued in Appeal No. 10-1441, to tell us the date they informed District Court Judges Pieras and Besosa of plaintiff Rodríguez's bankruptcy.

By the Court:

/s/ Margaret Carter, Clerk.

cc:

Berrios-Berrios, Erika
Colon-Rivera, Frances
Cuadros-Pesquera, Miguel A.
Hernandez-Venegas, Lourdes C.
Melendez-Menendez, William E.
Rexach, Mariela